

REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on September 30, 2003, and the references cited therewith.

Claims 1, 10, and 19 are amended; as a result, claims 1-21 are now pending in this application.

Formal Drawings

As requested in the Office Action, formal drawings are provided herewith.

§102 Rejection of the Claims

Claims 1-18 were rejected under 35 USC § 102(e) as being anticipated by Muller et al. (U.S. 6,453,360). Applicant has amended claims 1 and 10 and respectfully submits claims 1-18 are patentably distinguishable from Muller.

With respect to independent claims 1 and 10, the Office Action states that Muller shows "Writing the packet sequence number (flow number) of the request packet to a location in a circular send queue (col. 56 lines 51-65) pointed to by the write pointer (fig. 9 916) and setting a valid bit (912)." The Office Action also refers to the "valid bit" as a "flow validity indicator, col. 44 lines 30-34" when rejecting claims 5 and 14, which depend from claims 1 and 10 respectively.

Applicant has amended claims 1 and 10 and respectfully submits that the amended claims are not shown or suggested by Muller. Specifically, claims 1 and 10 have been amended to include "wherein the valid bit is indicative of whether at least one response is expected". Support for this amended feature includes page 20, line 5 of the application. This feature is neither shown nor suggested in Muller. Muller does not apply the "valid bit" as set forth in the amended claims. Rather, Muller teaches using the valid bit for error determination or correction, or as a validity indicator. Because Muller does not show or suggest every limitation of the amended claims, the Applicant respectfully requests that the rejection of claims 1 and 10 be withdrawn.

Similarly, claims 2-9 and 11-18 depend from claims 1 and 10 respectively. By virtue of their dependency from the independent claims, Applicant respectfully requests removal of the rejection of claims 2-9 and 11-18.

Claims 19-21 were also rejected under 35 USC § 102(e) as being anticipated by Dobecki (U.S. 6,611,879). Applicant has amended claim 19 and submits that claims 19-21 are patentably distinguishable from Dobecki.

Applicant has amended claim 19 and respectfully submits that amended claim is neither shown nor suggested by Dobecki. With respect to independent claim 19, the Office Action states Dobecki shows “A send queue engine (ME 315) ...[and] A received queue engine (ME315)”. Dobecki shows both queue engines as part of the same item in Figure 7 of the reference. Claim 19 has been amended to set forth “a receive queue engine partitioned from the send queue engine”. Support for this amendment is included on pages 15 and 16 in the description of Figure 6 of the application. The features of the amended claim are not shown in Dobecki. Also, Dobecki does not suggest the features of the amended claim because it does not recognize the problem facing Applicant, as set forth on pages 15 and 16 and the description of Figure 1 of the application, among other places. Accordingly, amended claim 19 is patentably distinguishable from Dobecki. Dependent claims 20 and 21 are also patentably distinguishable from Dobecki. Applicant respectfully requests removal of the rejection of claims 19-21.

Additional Amendment

Claim 19 also includes an amendment of a clerical error. Specifically, Applicant has removed an instance of a repeated phrase “connected to the receive queue context memory” for clarity.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney ((612) 349-9592) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,

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Date March 29, 2004

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 30 day of March, 2004.

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Name

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